

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE 10/518788

In re application of

Docket No: Q83533

Masakazu SATO, *et al.*

National Stage Application of
PCT/JP03/10160
-filed August 8, 2003

Confirmation No.: Not Yet Assigned

Group Art Unit: Not Yet Assigned

Filed: December 21, 2004

Examiner: Not Yet Assigned

For: ARYL 5-THIO- β -D-GLUCOPYRANOSIDE DERIVATIVES AND THERAPEUTIC
AGENTS FOR DIABETES CONTAINING THE SAME

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following:
U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

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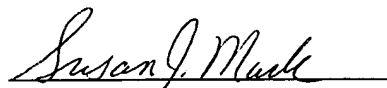
WO 03/000712 is cited in the last paragraph of page 2 of the subject application. EP 1 405 859 is a corresponding application and is submitted as a concise statement of relevance of WO 03/000712.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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23373
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Date: December 21, 2004

Substitute for Form 1449 A & B/PTO <u>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</u> (use as many sheets as necessary)				DT09 21 DEC 2004	
				National Stage Application of PCT/JP03/10160 -filed August 3, 2004 10/518788	
Application Number				Not Yet Assigned	
Confirmation Number				Not Yet Assigned	
Filing Date				December 13, 2004	
First Named Inventor				Masakazu SATO	
Art Unit				Not Yet Assigned	
Examiner Name				Not Yet Assigned	
Attorney Docket Number				Q83533	
Sheet	1	of	1		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 2004/0063646	A1	04-01-2004	Fujikura, <i>et al.</i>

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		EP	1 405 859	A1	04-07-2004	Kissei Pharmaceutical Co., Ltd.	
		WO	03/000712	A1	01-03-2003	Kissei Pharmaceutical Co., Ltd.	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.